

Before the Board of Zoning Adjustment, D. C.

Application No. 11624, of Steuart Investment Company, pursuant to Sections 3308, 5303, 7205.3, 8207.2 and 8207.11 of the Zoning Regulations, for special exception for approval of roof structures, variance from the rear yard requirements of the C-3-A District to permit addition to office building and special exception to permit parking to be located on a lot other than the lot where the principal use is located at 40th and Chesapeake Streets, N. W., Lots 20, 21 and 811, Square 1769.

HEARING DATES: April 17, 1974, July 17, 1974

EXECUTIVE SESSION: GRANTED FROM THE BENCH July 17, 1974

FINDINGS OF FACT:

1. The applicant proposes to construct a three (3) story addition to an existing three story building (40 feet 3 inches in height) located at the S. W. corner of 40th Street and Chesapeake Streets, N. W., in accordance with Scheme No. 2 as attached to statement of the architect, Carl Ernst.

2. The existing building was built in 1959; however, the plans were not filed before May 12, 1958 when the new Zoning Regulations were put in effect.

3. The existing building is occupied by the Steuart Investment Company and other Steuart Companies. These companies have outgrown the existing building and it is necessary to construct an addition.

4. The land for the proposed addition and the off-street parking lot is zoned C-3-A and removed one block from Wisconsin Avenue.

5. The present improvement is a three (3) story building containing 15,186 square feet, or less than one-half of the permitted gross floor area of 32,400 square feet.

6. The subject property is surrounded by commercial or institutional uses. To the east is the Woodrow-Wilson High School (separated by 40th Street and the wide reservation for Fort Drive), to the north Fort Reno Reservoir and playground, to the west WTOP Television Tower, and to the south WTOP Television studios and offices.

7. The parking structure for which permission is requested to house the required off-street parking is located on Lots 805 and 13, 80 feet west of the proposed addition separated only by the TV tower, and is presently used in part for surface

parking. This parking structure will be for the exclusive use of applicant's employees and business visitors. The parking structure contains 54 self-parking spaces and 49 parking spaces are required under the Zoning Regulations. The applicant is willing to place a covenant on record to assure that accessory parking located on Lots 805 and 13 will be available to serve the principal building located on Lots 20, 21 and 811, all in Square 1769.

8. The applicant requests a variance to permit the extension of the north and south walls westward in line with the existing north and south walls, and to provide an open court in lieu of a rear yard.

9. Because of the construction of the roof and the column design, it is not possible without excessive expense to erect additional floors above the existing building.

10. The applicant's architect has explored designs for an addition to applicant's existing building to accommodate their expanding requirements. These include four studies, and the study that applicant presented in their appeal, namely, Scheme No. 2, is the only reasonable solution for the practical difficulty that applicant faces in erecting an addition to their existing building.

11. The site for the proposed addition and for the parking structure are both located in the C-3-A zone which permits a height of 60 feet and a floor area ratio of 3.0. The proposed building addition will match the existing building and will be 40 feet 3 inches in height, and the proposed addition is below the permitted F.A.R.

12. The penthouse will contain mechanical equipment, in addition to the existing penthouse. The type of material will be precast concrete to match the existing roof structure.

13. The Office of Planning & Management recommended approval of roof structure.

14. The permission to locate parking elsewhere than on the lot the principal building is located and required as the proposed addition will occupy space used for parking and it is not feasible to provide the parking in the proposed addition as the area involved is only 43 feet 6 inches in width.

15. The parking structure is permitted as a matter of right in a C-3-A District and meets all requirements of the Zoning Regulations.

16. No opposition was registered to this application at the public hearing.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board is of the opinion that the applicant has proved a practical difficulty within the meaning of Section 8207.11 of the Zoning Regulations because of the existing structure and limited area for the addition. The Board is also of the opinion that the roof structure complies with requirements of Section 3308 of the regulations as provided in Section 5306 of the Zoning Regulations, and the special exception for location of required accessory parking elsewhere than on the lot upon which the principal building is located meets the requirements of Section 5103.45 of the Zoning Regulations subject to the condition specified herein. Because of the type and location of the proposed addition, the existing character of the area, the absence of opposition from neighboring property owners, the Board is of the opinion that the granting of the applicant's request will not have an adverse effect on the neighborhood, or impair the intent, purpose, and integrity of the zone plan.

ORDERED:

That the above application be GRANTED subject to the following conditions:

The applicant shall place a covenant running with the land among the Land Record of the District of Columbia to assure that accessory parking located on lots 805 and 13 is available to serve the principal building located on Lots 20, 21, and 811, all in Square 1769.

VOTE: 3-0 (Lilla Burt Cummings and Samuel Scrivener, Jr., not present at hearing.)

Application No. 11624
Page 4

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: James E. Miller
JAMES E. MILLER,
Secretary to the Board

FINAL DATE OF ORDER:

AUG 26 1974

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.